

Town Board Minutes

February 14, 2022

Meeting No. 4

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 14th day of February 2022 at 7:00 P.M. and there were

PRESENT: MARK BURKARD, COUNCIL MEMBER
ADAM DICKMAN, COUNCIL MEMBER
ROBERT LEARY, COUNCIL MEMBER
DAVID MAZUR, COUNCIL MEMBER
RONALD RUFFINO, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: DIANE TERRANOVA, TOWN CLERK
THOMAS FOWLER, TOWN ATTORNEY
MATTHEW FISCHIONE, CODE ENFORCEMENT OFFICER
WILLIAM KARN, CHIEF OF POLICE
EDWARD SCHILLER, ENGINEER, WM. SCHUTT & ASSOC.

PERSONS ADDRESSING TOWN BOARD:

Krug, Ken, spoke to the Town Board on the following matter:

- Asked the Town Board to consider adopting a Light Trespass Code.

PRESENTATION OF PREFILED RESOLUTIONS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER DICKMAN, TO WIT:

RESOLVED, that the minutes of the Regular Meeting of the Town Board held
February 7, 2022 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote
on roll call, which resulted as follows:

COUNCIL MEMBER BURKARD	VOTED	YES
COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

February 14, 2022

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MAZUR, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered
paid from their respective accounts as per abstract to be filed in the Office of the Town Clerk
by the Assistant to the Supervisor, to wit:

Check Run #02142022

Total amount hereby authorized to be paid: \$511,897.91

The question of the foregoing resolution was duly put to a vote on roll call
which resulted as follows:

COUNCIL MEMBER BURKARD	VOTED	YES
COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

February 14, 2022

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MAZUR WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER BURKARD, TO WIT:

RESOLVED that the following Building Permit applications be and are hereby reaffirmed:

CODES:

- (SW) = Sidewalks as required by Chapter 310 of the Code of the Town of Lancaster are waived for this permit.
(CSW) = Conditional sidewalk waiver
(V/L) = Village of Lancaster

NEW PERMITS:

Pmt #	SW	Applicant Name	Address	STRUCTURE	Village
33677		Anderson Water Systems, Inc.	2 Jonquille Ct	Inst. Generator	
33728		Comfort Window Co. Inc.	713 Pavement Rd	Er. Res. Alt.	
33750		Equity Builders of WNY LLC	29 Sterling Pl	Er. Res. Alt.	
33753		Colley's Pool Sales Inc.	57 Tranquility Trl	Er. Pool-In Grnd	
33758		Graves Bros. Inc.	74 Brandel Ave	Re-Roof	(V/L)
33759		Chautauqua Fence	13 Wayne St	Er. Fence	(V/L)
33760		Mark Stephen	5394 William St	Er. Fence	
33761		ECC Electrical Construction	4792 William St	Inst. Generator	
33762		Zenner & Ritter Co. Inc.	9 Sixth Ave	Inst. Generator	(V/L)
33763		Erin Peters	219 Siebert Rd	Er. Shed	
33764		Gen-Tech Power Systems LLC	8 Old Mill Run	Inst. Generator	
33765		Gen-Tech Power Systems LLC	34 Via Donato E	Inst. Generator	
33766		Gen-Tech Power Systems LLC	50 Chestnut Corner	Inst. Generator	
33768		Pamoja Properties LLC	208 Central Ave	Dumpster - Temp.	(V/L)
33769		Zenner & Ritter Co. Inc.	71 Williamsburg Ln	Inst. Generator	
33770		Misha Holzman	73 Lake Ave	Er. Res. Alt.	(V/L)

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER BURKARD	VOTED	YES
COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

February 14, 2022

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MAZUR, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER DICKMAN, TO WIT:

WHEREAS, Jeffery D. Palumbo of Barclay Damon LLP, on behalf of **Oakridge MFR Holdings, LLC, WKP2, LLC and RDNW, LLC**, has petitioned the Town Board of the Town of Lancaster for the rezone of a parcel of land located at 338 Harris Hill Road (S.B.L. No. 82.04-1-1.11), Lancaster, New York from a Light Commercial (LC) to Multifamily Residential Mixed-Use District (MFMU), and

WHEREAS, the Petition has been referred to the Planning Board of the Town of Lancaster for its recommendation and was tabled at their December 1, 2021 meeting, pending the results of the Town Board’s public hearing.

NOW, THEREFORE,

BE IT RESOLVED, that pursuant to Sections 130 and 265 of the New York Town Law, a Public Hearing on the proposed rezone will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 7th day of March 2022, at 7:15 o'clock P.M., Local Time, and that Notice of the Time and Place of such Hearing be published in the local newspaper of general circulation in said Town and be on the Town Bulletin Board, and that Notice of such Hearing be referred to the Erie County Department of Planning, pursuant to Section 239 (m) of the General Municipal Law, which Notice shall be in form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER BURKARD	VOTED	YES
COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

February 14, 2022

LEGAL NOTICE
REZONE-PUBLIC HEARING
338 HARRIS HILL ROAD (S.B.L. No.82.04-1-1.11)
TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the Town Law of the State of New York and pursuant to a resolution of the Town Board of the Town of Lancaster, New York, adopted on February 14, 2022, the said Town Board will hold a Public Hearing on the 7th day of March, 2022 at 7:15 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the following proposed amendment to the Zoning Ordinance and Zoning Map of the Town of Lancaster, rezoning the following described real property from a Light Commercial (LC) to Multifamily Residential Mixed-Use District (MFMU), for the property located at 338 Harris Hill Road (S.B.L. No.82.04-1-1.11) within the Town of Lancaster, New York.

All persons interested are invited to attend and will be heard. Written comments may be submitted to: Town of Lancaster Town Clerk in care of the Planning & Zoning Committee, Council Member Mazur, Chair.

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF LANCASTER**

BY: Diane M. Terranova
Town Clerk

February 17, 2022

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MAZUR, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER BURKARD, TO WIT:

WHEREAS, in July 2011 in recognition of the growing problem of distressed, vacant, abandoned, and tax-delinquent properties, New York State passed the Land Bank Act, as Article 16 of the New York State Not-for-Profit Corporation Law, which authorizes any Foreclosing Governmental Unit (FGU) to create a land bank to strategically acquire, improve, assemble, and sell these properties, and

WHEREAS, under this law, the Buffalo Erie Niagara Land Improvement Corporation (BENLIC) was formed in May 2012 via an intermunicipal agreement among the county's four FGUs: Erie County and the Cities of Buffalo, Lackawanna, and Tonawanda, and

WHEREAS, county-wide land banks have proven highly successful in Michigan, Ohio, and other regions experiencing growing numbers of problem properties by supporting municipal and regional revitalization efforts by strategically acquiring, improving, assembling, and selling these properties, and

WHEREAS, BENLIC (the land bank) seeks to work collaboratively with the cities, towns, and villages within Erie County to address the growing problem of distressed, vacant, abandoned, and tax-delinquent properties, and

WHEREAS, the Town of Lancaster, Erie County, has recognized the need to address the growing issues of distressed, vacant, abandoned, and tax-delinquent properties and is desirous of partnering with BENLIC to address this problem.

NOW, THEREFORE,

BE IT RESOLVED, that the Town of Lancaster hereby officially requests that BENLIC acquire the following propert(y)ies:

1. 00 Sugarbush Ln., SBL# 126.10-1-52
2. 0 St. Anthony St., SBL# 105.17-1-15
3. 0 Rue Madeline Way, SBL# 126.08-3-34
4. 6521 Broadway St., SBL# 117.11-2-15, and

BE IT FURTHER,

RESOLVED, that the Town of Lancaster has completed the required Acquisition Applications for each property listed above and has attached the Acquisition Applications to this resolution, and

BE IT FURTHER,

RESOLVED, that the Town of Lancaster agrees to reimburse Erie County for the costs associated with foreclosure of this property, and

BE IT FURTHER,

RESOLVED, that the Town of Lancaster agrees to maintain each property selected by BENLIC during the time in which BENLIC holds title to the property including removal of motor vehicles upon BENLIC property by use of municipal emergency services (i.e. police and fire department), and

BE IT FURTHER,

RESOLVED, in the event that after a period of one year from the date of BENLIC acquisition, BENLIC is unable to dispose of vacant lots which do not contain structures and which are identified herein, BENLIC retains the option to transfer to the Town of Lancaster, and the Town of Lancaster agrees to accept a transfer of title of all non-disposed vacant lots which do not contain structures by quit claim deed, and

BE IT FURTHER,

RESOLVED, that certified copies of this resolution will be sent to the Executive Director of the Buffalo Erie Niagara Land Improvement Corporation; the Commissioner of the Erie County Department of Environment and Planning; the Director of the City of Buffalo’s Office of Strategic Planning; and the Mayors of the cities of Lackawanna and Tonawanda.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER BURKARD	VOTED	YES
COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

February 14, 2022

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MAZUR, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER LEARY, TO WIT:

WHEREAS, Ersilia Davis on behalf of Dish Wireless, LLC has submitted an application for a special use permit for a Telecommunications Tower Co-location of antennas, ancillary equipment, and ground equipment for a new carrier to be placed on the current tower located at 5051 Transit Road (SBL No. 115.09-2-30) (Hayes Ave) which will be identified as Dish Wireless, LLC, Site ID: SYSYR00184A, in the Town of Lancaster, and

WHEREAS, Chapter 400-Zoning, Article XIV Administration and Enforcement, § 400-78 Special use permits, of the Code of the Town of Lancaster requires that the Town Board conduct a public hearing before the issuance of a Special Use permit for a use as proposed.

NOW, THEREFORE,

BE IT RESOLVED, that pursuant to § 400-78 of the Zoning Code of the Town of Lancaster, a Public Hearing on the proposed Special Use Permit for a Telecommunications Tower Co-location of antennas, ancillary equipment, and ground equipment for a new carrier to be placed on the current tower located at 5051 Transit Road (SBL No. 115.09-2-30) (Hayes Ave), which will be identified as Dish Wireless, LLC, Site ID: SYSYR00184A, in the Town of Lancaster, New York, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 7th day of March, 2022, at 7:15 o'clock P.M., Local Time, and that Notice of said time and place of such Hearing be published in the official newspaper of general circulation in said Town, and be posted on the Town Bulletin Board and that a copy of such Notice of Hearing be referred to the Erie County Department of Planning, pursuant to Section 239(m) of the General Municipal Law, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER BURKARD	VOTED	YES
COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

February 14, 2022

TOWN OF LANCASTER
NOTICE OF PUBLIC HEARING ON APPLICATION FOR SPECIAL USE PERMIT
APPROVAL FOR A TELECOMMUNICATIONS TOWER CO-LOCATION AT
AT 5051 TRANSIT ROAD (SBL NO. 115.09-2-30) (HAYES AVE) WHICH WILL BE
IDENTIFIED AS DISH WIRELESS, LLC, SITE ID: SYSYR00184A, LANCASTER,
NEW YORK

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the authority set forth in Chapter 400-Zoning, Article XIV Administration and Enforcement, § 400-78 Special use permits of the Code of the Town of Lancaster and pursuant to a resolution adopted by the Town Board of the Town of Lancaster on the 14th day of February 2022 the said Town Board will hold a Public Hearing on the 7th day of March, 2022, at 7:15 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, for the purposes of considering and possibly approving a special use permit application for Telecommunications Tower Co-location by Dish Wireless, LLC, on the current tower located at 5051 Transit Road (SBL No. 115.09-2-30) (Hayes Ave. Copies of the proposed application can be reviewed at Town Hall.

Full opportunity to be heard will be given to all citizens and any parties in interest.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF LANCASTER

BY: DIANE M. TERRANOVA
Town Clerk

February 17, 2022

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MAZUR, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER BURKARD, TO WIT:

WHEREAS, the Town Board is considering the approval of a proposed demolition of an existing poly greenhouse and construction of a new 54 ft x 128 ft. pole barn storage building submitted by Jason Burford on behalf of Adam’s Farms LLC, located on their existing site on a +/-14.7-acre parcel at 5799 Genesee Street (SBL No. 94.00-2-6.112) in the Town of Lancaster, and

WHEREAS, the Town of Lancaster Planning Board has reviewed the environmental impact of this project pursuant to SEQR regulations at their meeting on January 19, 2022, and recommended that a Negative Declaration be issued, and

WHEREAS, the Town Board has duly considered the plans for the construction project using the short Environmental Assessment Form, the criteria for determining significance set forth in 6 N.Y.C.R.R. § 617.7(c) of the State Environmental Quality Review Act (“SEQRA”) regulations, and such other information deemed appropriate, including the recommendation of the Town of Lancaster Planning Board, and

WHEREAS, the Town Board has identified the relevant areas of environmental concern, has taken a hard look at these areas, and has made a reasoned elaboration of the basis for its determination, and

WHEREAS, the proposed action has been labeled an “Unlisted” action under SEQRA.

NOW, THEREFORE,
BE IT RESOLVED by the Town Board of the Town of Lancaster that:

- 1. This project is described as demolition of an existing poly greenhouse and construction of a new 54 ft x 128 ft. pole barn storage building submitted on behalf of Adam’s Farms LLC, located on their existing site on a +/-14.7-acre parcel at 5799 Genesee Street (SBL No. 94.00-2-6.112) will not result in any large and important impacts and, therefore, it is an action which will not have a significant adverse impact on the environment, and therefore the Board issues the attached negative declaration of environmental significance for the reasons stated therein..
- 2. The Town Clerk shall file a copy of the Negative Declaration in the file for the Project.
- 3. The Town Attorney's Office shall prepare and file a Notice of Determination of Non-Significance with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal.
- 4. This resolution is effective immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER BURKHARD	VOTED	YES
COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

February 14, 2022

NEGATIVE DECLARATION
Determination of Non-Significance

Town of Lancaster Town Board

Dated: February 14, 2022

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town Board of the Town of Lancaster has reviewed the proposed Adam's Farms poly greenhouse demolition and storage building construction on their existing site located on a +/-14.7-acre parcel at 5799 Genesee Street (SBL No. 94.00-2-6.112) submitted by Jason Burford; and the Town Board has determined the project will not have a significant adverse environmental impact and that a Draft Environmental Impact Statement will not be prepared.

Name of Action: Adam's Nursery Storage Building # 5028

Location of Action 5799 Genesee Street (SBL No. 94.00-2-6.112), Lancaster, New York 14086, Erie County.

SEQR Status: Unlisted

Description of Action: The demolition of existing poly greenhouses and construction of new pole barn storage building and gravel parking lot. Building dimensions approximately 54 ft by 128 ft.

Reasons Supporting this Determination: Potential environmental impacts associated with the Project were identified in the Environmental Assessment Form. The Town analyzed the project under the criteria for determining significance identified in 6 NYCRR § 617.7(c)(1) and in accordance with 6 NYCRR § 617.7(c)(2) and (3). As indicated below based on each criterion specified in 6 NYCRR § 617.7(c)(1), the Project will not have a significant adverse impact on the environment.

1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations? **No impact.**
2. Will the proposed action result in a change in the use or intensity of use of land? **No impact.**
3. Will the proposed action impair the character or quality of the existing community? **No impact.**
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? **The Town of Lancaster has not established a Critical Environmental Area (CEA).**
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway? **No impact.**
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities? **No impact.**
7. Will the proposed action impact existing:
 - a. public/private water supplies? **No impact**
 - b. public/private wastewater treatment utilities? **No impact.**

8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources? **No impact.**
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora or fauna)? **No impact.**
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems? Small **impact. Per the NYSDEC letter dated January 3, 2021, proposed action may result in development within a 100- year floodplain.**
11. Will the proposed action create a hazard to environmental resources or human health? **No impact.**

For Further Information:

Contact Person: Thomas E. Fowler, Jr., Town Attorney

Address: Town of Lancaster
21 Central Avenue
Lancaster, New York 14086

Telephone Number: (716) 684-3342

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MAZUR, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER BURKARD, TO WIT:

WHEREAS, Jason Burford of Greenman-Pedersen, Inc., has submitted a site plan application on behalf of **Adam’s Farms/Nursery** which contained drawings G-1, A-1, A-2, A-3, and A-4 prepared by Life by Design dated November 18, 2021 and received November 29, 2021, and a Site Plan drawing (SP 1 of 1) dated May 2015 with a revision date of January 20, 2022 prepared by Greenman-Pedersen, Inc, and received January 27, 2022, for the proposed poly greenhouses demolition and construction of a new 54 ft x 128 ft. pole barn storage building to be located at 5799 Genesee Street (SBL No. 94.00-2-6.112) in the Town of Lancaster, and

WHEREAS, the site plan for this project was submitted to the Planning Board and was recommended for approval at their January 19, 2022 meeting, and

WHEREAS, the Town Planning Board has completed an environmental review for the project on January 19, 2022, in conformance with SEQR (State Environmental Quality Review) regulations and the Town Board, acting as lead agency, issued a Negative Declaration on February 14, 2022.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby approves the site plan submitted by Jason Burford of Greenman-Pedersen, Inc., on behalf of **Adam’s Farms/Nursery** which contained drawings G-1, A-1, A-2, A-3, and A-4 prepared by Life by Design dated November 18, 2021 and received November 29, 2021, and a Site Plan drawing (SP 1 of 1) dated May 2015 with a revision date of January 20, 2022 prepared by Greenman-Pedersen, Inc, and received January 27, 2022, for the proposed poly greenhouses demolition and construction of a new 54 ft x 128 ft. pole barn storage building to be located at 5799 Genesee Street (SBL No. 94.00-2-6.112), with the following conditions:

- 1. PIP permit will be required to initiate construction.
- 2. Contractor to provide an “As-built” survey to the Building Department prior to any Certificates of Compliance/Occupancy being issued.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER BURKARD	VOTED	YES
COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

February 14, 2022

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER DICKMAN, TO WIT:

WHEREAS, William J. Karn, Jr., Chief of Police of the Town of Lancaster,
by letter dated February 7, 2022, has recommended the appointment of Police Lieutenant
Shaun DiMino to the vacant position of Detective Lieutenant, and

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby
appoints Shaun DiMino to the position of Detective Lieutenant in the Town of Lancaster
Police Department effective February 15, 2022; and that such appointment shall be subject to
all applicable provisions of the collective negotiations agreement between the Town of
Lancaster and the Cayuga Club Police Benevolent Association and all applicable provisions
of law, and

BE IT FURTHER,

RESOLVED, that the Supervisor of the Town of Lancaster take all necessary
actions, including with the Personnel Officer of the County of Erie, to implement the
foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote
on roll call which resulted as follows:

COUNCIL MEMBER BURKARD	VOTED	YES
COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

February 14, 2022

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER BURKARD, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER LEARY, TO WIT:

WHEREAS, on September 3, 2019, the Town Board of the Town of Lancaster entered into a professional services agreement with Wendell to provide drawings, and specifications, bidding, construction administration and reimbursable expenses for maintenance repairs including brick, concrete, window and emergency lighting repairs, etc. for the Town of Lancaster Town Hall and Opera House, and

WHEREAS, Wendel has recommended that masonry reconstruction work be done to the Town of Lancaster’s Town Hall/Lancaster Opera House, and

WHEREAS, three Request for Proposals were sent to three contractors and three responses were received in accordance with the Town’s Procurement Policy, and

WHEREAS, by memo dated February 9, 2022, Town Engineer Edward Schiller, is supporting Wendel’s recommendation to award the Town Hall/Lancaster Opera House masonry reconstruction project to Highland Masonry Restorations, Inc., in the amount of \$14,400.00 per their quote dated February 4, 2022.

NOW, THEREFORE,
BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby approves and accepts the quote from Highland Masonry Restorations, Inc., 33 Ransier Drive, West Seneca, New York, to perform needed masonry reconstruction work at the Town Hall/Lancaster Opera House, located at 21 Central Avenue, as recommended by Wendell for a cost not to exceed \$14,400.00 per Highland’s quote dated February 4, 2022, which will be paid for with funds available in the Reconstruction of Improvements to the Town Hall Capital Improvements Bond approved March 15, 2021.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER BURHARD	VOTED	YES
COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

February 14, 2022

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER BURKARD, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER LEARY, TO WIT:

WHEREAS, Mark Burkard, Councilman of the Town of Lancaster has recommended to the Town Board the appointment of Shannon McNichol, to serve as a member of the Town of Lancaster Industrial Development Agency.

NOW THEREFORE,

BE IT RESOLVED, Shannon McNichol be and is hereby appointed Member, Lancaster Industrial Development Agency for the term February 14, 2022, through December 31, 2022.

BE IT FURTHER,

RESOLVED, that this resolution shall become effective upon adoption, and shall supersede all previous resolutions of this Board.

The question of the adoption of the foregoing resolution was duly put to vote on roll call, which resulted as follows:

COUNCIL MEMBER BURKARD	VOTED	YES
COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

February 14, 2022

COMMUNICATIONS & REPORTS

- 117. Town Clerk to Various News Media –
Press Release (Correction) announcing that the Drainage Committee will meet at 6:00PM before the first Town Board meeting of each month.
Disposition = Received & Filed**
- 118. VFW Post 7275 to Town Clerk –
Meat Raffle to be held on Saturday, March 5, 2022 at 6:00PM at Lt. Col. Matt Urban VFW Post. 3741 Walden Ave. Disposition = Received & Filed**
- 119. Beth Cook to Planning Board Chairman –
Letter of resignation from the position of Secretary to the Town Planning Board effective immediately. Disposition = Received & Filed**
- 120. Legal Assistant to the Town Attorney to Town Board and Planning Board –
SEQR response from NYDOT regarding Valvoline Oil Change, 4839 Transit Road, Proj. #2052. Disposition = Planning Committee**
- 121. Legal Assistant to the Town Attorney to Town Board and Planning Board –
SEQR response from Erie County Water Authority regarding Preliminary Plat Cross Creek, Phase 9, 538 Pavement Rd., Proj. #5055.
Disposition = Planning Committee**
- 122. Legal Assistant to the Town Attorney to Town Board and Planning Board –
SEQR response from Erie County Water Authority regarding Valvoline Oil Change, 4839 Transit Road, Proj. #2052. Disposition = Planning Committee**
- 123. Rev. Paul Steller to Supervisor –
Request for use of the Westwood Park Indoor Pavilion for Easter Sunday Mass on Sunday, April 17, 2022 from 5:45AM to 8:00AM. Disposition = For Resolution**
- 124. Highway Superintendent to Town Board –
Request for resolution to enter into the Highway Shared Services Agreement to share services with other municipalities. Disposition = For Resolution**
- 125. Police Chief to Supervisor and Town Board –
Request for Town Board approval of selection of Shaun DiMino to fill the vacant position of Detective Lieutenant in the Lancaster Police Department effective February 15, 2022. Disposition = Resolution 2/14/22**
- 126. Town Engineer to Town Board –
Request for resolution to award the Masonry work for Town Hall repairs to Highland Masonry Restoration, Inc., 33 Ransier Dr., West Seneca, NY.
Disposition = Resolution 2/14/22**
- 127. Shannon McNichol to Town Clerk –
Request to be considered for a seat on the Lancaster Industrial Development Agency Board. Disposition = Resolution 2/14/22**
- 128. NYS Department of Public Service to Town Clerk –
Information regarding virtual public statement hearings to solicit input and comments for the Broadband Assessment Program.
Disposition = Received & Filed**
- 129. Planning Board Chairman to Planning Board, Town Board, Engineering Consultant, Town Attorney, Highway Superintendent and Building Inspector –
Draft copy of minutes from January 19, 2022 Planning Board meeting.
Disposition = Received & Filed**
- 130. Police Chief to Town Clerk –
Articles and communications. Disposition = Received & Filed**

ADJOURNMENT:

**ON MOTION OF COUNCIL MEMBER DICKMAN AND SECONDED BY
COUNCIL MEMBER LEARY AND CARRIED,** the meeting was adjourned at 7:25 P.M.

Signed_____

Diane M. Terranova, Town Clerk